## **FOR**

CONTINUED EXAMIN

Subsection (b) of 35 U.S.C. § 132, effective on May 295.

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number:

09/954,593

Filing Date:

19 September 2001

Elms et al. First Named Inventor.

**Group Art Unit:** 

3627

Examiner Name:

Steven B. McAllister

Attorney Docket Number: 120-01449 US

CUSTOMER NO.:

27.623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant

may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865

(March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under 37 C.F.R. § 1.114			
	a.		Previously submitted	
		i	Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed	
			on(any unentered amendment(s)	
			referred to above will be entered).	
		ii	Consider the arguments in the Appeal Brief or Reply Brief previously filed	
			filed on	
		iii	Other	
	b.	<u>XXX</u>	Enclosed	
		i. <u>XXX</u>		
		ii	Affidavit(s)/Declaration(s)	
		iii	Information Disclosure Statement (IDS) and PTO-1449	
		iv	Other	
2.	Misce	scellaneous		
	a.		Suspension of action on the above-identified application is requested under 37	
			C.F.R. § 1.103(c) for a period of months. (Period of	
			suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)	
	<u>b.</u>		Other	
3.		Fees The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.		
	a.	<u>XXXXX</u>	The Director is hereby authorized to charge any deficiency in fees, or credit any	
			overpayments to Deposit Account No. <b>01-0467</b> .	
		i. <u>XXX</u>		
		ii.	Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)	
		iii. XXX		
	b.	XXX		
	_		Amendment fee)	
	c. Payment by credit card (Form PTO-2038 enclosed)			

Dated: April 12, 2005

04/15/2005 AWONDAF1 00000109 09954593

01 FC:1801 790.00 OP 02 FC:1201 03 FC:1202 200.00 DP 400.00 DP Paul D. Greeley, Esq. Attorney for Applicant(s) Registration No. 31,019

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